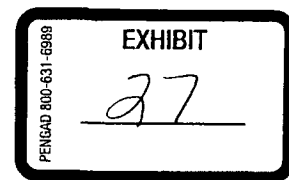




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Comments regarding the proposed changes in the statute defining fluid milk

Submitted by:

Joseph Logan, Ohio Farmers Union President

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Fresh, wholesome milk has helped to sustain the human species for many thousands of years. No other food product enjoys a more wholesome, nurturing connotation than fresh fluid milk. That impression carries a tremendous marketing value, and dairy farmers and processors spend millions of dollars annually to support and preserve the positive image of milk as a healthy beverage option. That said, it seems unimaginable that any serious consideration would be given to tampering with the definition of a product with such an overwhelmingly positive perception. I personally, have heard Dr. Lester Crawford, now heading the FDA, comment that only God could change the definition of milk, and that his ancestors would roll over in their graves if such a change were to be contemplated. Yet we stand here today, in legitimate consideration of precisely that action.

Innumerable wise and practical people have adopted an often heard mantra: "If it isn't broke, don't fix it". Despite all the reasons not to fix a definition which is obviously not broken, our governmental agencies seem dedicated to making changes to accommodate the wishes of the dairy processing and marketing industries by changing the meaning of the term milk.

We understand that flexibility in ingredient formulation is a serious matter affecting productivity and efficiency in the food and beverage processing industry. We have no opposition to the industry having the latitude to reconfigure and reformulate products as they see fit, but we do have grave concerns about the industry's current proposals which would legitimize the production and marketing of products made from a wide variety of ingredients, sourced from locations across the globe, and all under the nameplate of fluid milk.

We encourage new product development in the food and beverage processing industry, but urge that those creative efforts be combined with corresponding efforts on the marketing side, in order to create new demand for those new products in their own right, thus expanding the total market for foods and beverages. We believe it is wise however, to be respectful of the generations of dairy producers and marketers who have dedicated their entire working lives to the development and maintenance of consumer confidence in milk.

The current definition of milk already allows great latitude for processors to supplement or remove many dairy derivatives from milk products. Any further

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broadening of the definitions or interpretations only serves to signal the industry that any fractionation or recombination of dairy derived ingredients can pass as milk.

In our view, the proposals under consideration could seriously undermine the accumulated storehouse of consumer confidence in milk products. At the same time, the proposals would encourage processors to incorporate a wider array of dairy derived compounds into products marketed as milk. The domestic dairy processing industry has already demonstrated a voracious appetite for low cost, imported dairy ingredients; let's not allow the industry's quest for low cost supplements undermine consumer confidence in fluid milk.

The primary purpose of the Federal Milk Marketing Order program is to provide American consumers with reliable supplies of safe wholesome milk, while assuring producers of uniform marketing standards and fair weights and measures. The proposals under consideration would breach the compact with both consumers and producers by allowing inclusion of Milk Protein concentrates, caseinates and whey protein. These compounds are understood to have functional and nutritional characteristics much different from those of fresh milk, so consumers may be justifiably concerned. Domestic dairy producers meanwhile would find themselves competing for the local fluid milk market with ingredients from all corners of the world, produced under all imaginable sanitary and phytosanitary standards.

Beyond the betrayal of milk consumers and dairy producers, these new proposed rules could potentially expose taxpayers to additional liabilities under the Federal Dairy Price support system, by encouraging additional dairy ingredient imports.

In summation, The Farmers Union has no problem with new product development, but we do have problems with trying to market new formulations under the name of milk. As mentioned before, jeopardizing the long-established perception of milk as a fresh, pure wholesome beverage would be a counterproductive of consumer confidence and the economic viability of domestic producers.

Respectfully submitted;

Joseph Logan, Ohio Farmers Union President

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